

Members

Rep. Dennis Avery, Chairperson  
Rep. Linda Lawson  
Rep. David Cheatham  
Rep. Thomas Knollman  
Rep. Suzanne Crouch  
Rep. Jackie Walorski  
Sen. Vaneta Becker, Vice-Chairperson  
Sen. John Waterman  
Sen. Michael Delph  
Sen. Connie Sipes  
Sen. Glenn Howard  
Sen. Timothy Skinner



# INTERIM STUDY COMMITTEE ON MISSING CHILDREN

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Authority: P.L. 96-2007 (Established by HEA 1726-2007)

## MEETING MINUTES<sup>1</sup>

**Meeting Date:** August 2, 2007  
**Meeting Time:** 1:00 P.M.  
**Meeting Place:** State House, 200 W. Washington St., House Chambers  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 1

**Members Present:** Rep. Dennis Avery, Chairperson; Rep. David Cheatham; Rep. Thomas Knollman; Rep. Jackie Walorski; Sen. Glenn Howard; Sen. Timothy Skinner.

**Members Absent:** Rep. Linda Lawson; Rep. Suzanne Crouch; Sen. Vaneta Becker, Vice-Chairperson; Sen. John Waterman; Sen. Michael Delph; Sen. Connie Sipes.

### Call to Order

Representative Dennis Avery, Chairperson, called the meeting to order at 1:20 P.M. and the members of the committee introduced themselves.

### Don Abbott

Representative Jackie Walorski discussed the history of House Bill 1726 (2007), a bill that Don Abbott proposed and Representative Nancy Dembowski authored. HB 1726, as

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

introduced, would have required the Clearinghouse for Information on Missing Children to accept and make available to law enforcement agencies DNA profiles and fingerprints of missing children that are voluntarily submitted to the clearinghouse. Rep. Walorski also explained that while the introduced version of the bill did not become law, this study committee resulted from HB 1726.

Mr. Abbott spoke to the committee about his experiences after his granddaughter became missing and provided a letter to committee members (See Exhibit 1). He expressed his frustration regarding the Indiana Clearinghouse for Information on Missing Children because it does not keep fingerprints or DNA samples of children. Mr. Abbott explained that before his granddaughter went missing, her parents took her fingerprints and DNA. After she went missing, Mr. Abbott tried to submit the fingerprints and DNA to law enforcement, who refused to take the samples. Mr. Abbott was stunned that law enforcement would refuse these fingerprints and DNA samples.

Mr. Abbott said that states and the federal government should establish forensic databases containing fingerprint and DNA samples of children in case the children become missing. He stated that databases should only contain samples that a parent or guardian voluntarily submit and must be accessible for law enforcement in other states to search.

### **Cynthia Smith**

Cynthia Smith, the executive director of the Youth Service Bureau in Evansville, testified concerning why it is important to study homeless youth issues. Ms. Smith stated that there are approximately 600 youth who are homeless in Vanderburgh County, including 362 youth who are in shelters or on the street. Ms. Smith explained that it is difficult determining the exact number of homeless youth, because many homeless youth "couch surf," meaning they sleep at friend's homes and keep moving between homes. Additional problems include the fact that Evansville does not have a temporary shelter for teens, and while there are family shelters, parental consent is required for a juvenile to stay at a family shelter. Ms. Smith also described other issues that homeless youth endure, including limited access to health care, no access to dental care, and inconsistent school attendance. Ms. Smith suggested that the state could assist homeless youth by:

- identifying federal money for homeless youth issues
- devising a best practices model for assisting homeless youth
- devising programs to prevent youth from becoming homeless

### **Indiana State Police**

Captain Sherry Beck explained to the committee that the State Police have statutory duties to maintain and staff the Indiana Clearinghouse for Information on Missing Children. Captain Beck stated that the federal government has imposed restrictions on the types of data that the State Police may collect and enter into federal databases concerning missing persons.

Captain Beck also discussed the legislation introduced last year that would have required the State Police to accept children's DNA from parents or guardians. She explained that the Federal Bureau of Investigation has set standards for different national databases containing information on missing persons, and these restrictions prohibit the State Police from entering DNA or fingerprints of children who are not missing into the databases. Captain Beck further explained that the State Police accept juvenile prints only if a juvenile is waived into adult court or if law enforcement has found an unidentified body.

Andre Clark, the Director of the Indiana Clearinghouse for Information on Missing Children, explained to the committee that when a child is reported missing, the State Police investigate the case and enter information into the Indiana Data and

Communications System (IDACS), which interfaces with the National Crime Information Center (NCIC). NCIC allows law enforcement throughout the United States and Canada to search for missing persons, wanted persons, and stolen items. Mr. Clark also explained that of the 11,000 children reported missing in Indiana, 99% are runaways and the remaining 1% are family abductions. Only one report of a missing person was not a runaway or family abduction; a girl abducted from her home in 1986 who was never recovered.

Representative Knollman asked Mr. Clark the average ages of runaways and children who are abducted. Mr. Clark stated that the National Center for Missing and Exploited Children has determined that children who are abducted are generally between the ages of 6 and 16 years of age, and that runaway children are generally between the ages of 11 and 17 years of age.

Anna Sullivan next discussed the State Police fingerprint identification process. She explained that the system the State Police uses is run against criminal histories.

Major Ed Littlejohn talked to the committee about the State Police laboratories and DNA. Major Littlejohn explained that Indiana Code § 10-13-6 describes how DNA can be collected and managed, including that DNA can be collected from felony offenders, unknown cases for crime profiles, unidentified human remains, missing persons, and relatives of missing persons. Major Littlejohn also explained that the State Police labs will issue physical evidence bulletins for all law enforcement agencies when a person is missing, making a DNA sample available for comparison with other DNA samples.

Representative Avery asked Major Littlejohn if it is possible to enter a missing child's information into any of the databases administered by the State Police. Major Littlejohn explained that the information can be entered into the Combined DNA Index System (CODIS) if law enforcement determines a person is missing and determines that an entry into CODIS could be helpful. Representative Avery then asked if a parent could submit information to CODIS. Major Littlejohn responded that only law enforcement has access to CODIS.

Senator Skinner next asked Major Littlejohn why the State Police supplies fingerprint and DNA swab kits to parents to obtain a child's DNA if the State Police will not accept the DNA samples. Major Littlejohn stated that if fingerprints or a DNA sample are taken and if the child later becomes missing, the investigating officer could use the samples to identify the child.

Representative Walorski asked about the availability of the fingerprint and DNA swab kits. Captain Beck explained that the State Police are seeking additional funding to provide the kits, which cost approximately fifty cents a piece.

### **State Department of Education**

Molly Chamberlin, Director of the Division of Educational Options, and Christina Endres, State Coordinator for McKinney-Vento, made a presentation regarding the Indiana Department of Education's involvement with homeless youth as required by the Federal McKinney-Vento Act (See Exhibits 2 and 3). The presentation included a discussion of how McKinney-Vento defines homelessness, and the responsibilities that states and school districts have concerning homeless youth, including that homeless youth are entitled to:

- enrollment in a public school

- transportation to school
- equal treatment

Ms. Chamberlin also suggested that the committee should consider drafting legislation defining "homelessness" as the federal government defines the term.

Representative Walorksi asked if the State Department of Education could assist in providing families the fingerprint and DNA swab kits that the State Police had discussed and Ms. Chamberlin stated it could be possible.

### **Indiana Housing and Community Development Authority**

Rodney Stockment, Manager of Community Services at the Indiana Housing and Community Development Authority, discussed grants provided by the Authority to different agencies around the state to combat homelessness. He said his agency's goal is to provide permanent housing with legal rights of tenancy, which he argued is cheaper than funding the shelter system in the long term. Mr. Stockment also stated that a survey needs to be completed determining the homeless services that are available in Indiana.

### **Department of Child Services**

Stephanie Yoder, Deputy Director of Field Operations at the Department of Child Services (DCS), discussed her agency's involvement with homeless youth and missing children. She explained that DCS serves abused, neglected and abandoned children, but does not directly serve homeless youth. Ms. Yoder stated that most homeless youth are "under the radar" and choose to not receive DCS services such as fostercare. But, Ms. Yoder stated that a goal of the fostercare program is to prevent older children in fostercare from becoming homeless after the child transitions out of fostercare by providing the children independent living skills.

### **Other business**

Representative Avery stated that the committee will meet an additional 2 to 3 times and would announce the next meetings soon. Representative Avery adjourned the committee at 4:00 P.M.